

RECORDATION NO. 29425 FILED

AUG 16 '10 -1 14 PM

SURFACE TRANSPORTATION BOARD

AUG 16 2010  
7:14 PM

## FIRST UNION RAIL

One O'Hare Centre  
6250 River Road, Suite 5000  
Rosemont, IL 60018

Tel 847.318.7575  
Fax 847.318.7588

**VIA UPS 2<sup>nd</sup> DAY AIR**

August 12, 2010

Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street, S.W., Suite 100  
Washington, DC 20423-0001  
Re: Documents for Rail Recordation

**Re: Memorandum of Lease Agreement**

Dear Section Chief:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301(a) are two (2) originals and one (1) copy of a Memorandum of Lease Agreement dated July 23, 2010 a primary document as defined in the Board's Rules for the Recordation of Documents. Please file this Memorandum of Lease as a primary document since a Master Lease has not been filed with the Surface Transportation Board. The names and addresses of the parties to the enclosed document are:

Lessor:	First Union Rail Corporation	Lessee:	HCH Marketing, Inc.
	One O'Hare Centre		22101 Highway 6
	6250 N River Road, Suite 5000		Manvel, TX 77578
	Rosemont, IL 60018		

A description of the railroad equipment covered by the enclosed document is for two (2) 20,000 gallon tank cars, marked FURX 120316 and FURX 120317.

A short summary of the document to appear in the index follows: **Memorandum of Lease**

Also enclosed is a check in the amount of \$41.00 payable to the order of the Surface Transportation Board covering the required recordation fee. Kindly return one (1) stamped original of the enclosed document to the undersigned along with the additional copies.

If you have any questions regarding the above-referenced matter, please contact me at (847) 384-5397. Thank you for your cooperation in this matter.

Sincerely,



Marcia Dunne  
Senior Documentation Specialist

Enclosure

(HCMA002)

ASSGN. NO.: HCMA002

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## MEMORANDUM OF LEASE

SURFACE TRANSPORTATION BOARD

THIS MEMORANDUM OF LEASE (the "Memorandum") is made and entered into as of this the 23<sup>rd</sup> day of July, 2010, by and between First Union Rail Corporation ("Lessor"), a North Carolina corporation, and HCH Marketing, Inc. ("Lessee"), a Texas corporation.

## WITNESSETH:

The undersigned Lessor and Lessee have entered into that certain Lease Agreement (the "Lease"), dated as of 23<sup>rd</sup> July, 2010, whereby Lessor has agreed to lease to Lessee certain railcars pursuant to Rider No. 1 to the Lease (the "Rider"), as described in more particular on Exhibit A attached hereto, effective as of 23<sup>rd</sup> July, 2010, and subject to the terms, conditions and provisions of the above-mentioned Lease and Rider.

IN WITNESS WHEREOF, the parties hereto have each caused this Memorandum to be duly executed under seal by their respective officers duly authorized as of the date and year first above written.

LESSOR:

FIRST UNION RAIL CORPORATION

By: [Signature]Name: John J. ThomasTitle: President

ATTEST:

By: [Signature]Name: SUSAN GROKULSKYTitle: ASSISTANT DIRECTOR  
OF DOCUMENTATION

Executed on this 27<sup>th</sup> day of July, 2010.

[CORPORATE SEAL]

STATE OF ILLINOIS

COUNTY OF COOK

I, GEORGIA FREIBURGER, a Notary Public of the County and State aforesaid, certify that JOHN J. THOMAS personally appeared before me this day and acknowledged his/her due execution of the foregoing Memorandum of Lease.

WITNESS my hand and official stamp or seal, this 27<sup>th</sup> day of July, 2010.

[Signature]  
Notary Public

My Commission Expires:

6-2012  
(Notary Public)



LESSEE:

HCH MARKETING, INC.

ATTEST:

By:

Name:

Title:

By:

Name:

Title:

Executed on this

23<sup>rd</sup>

day of

July

, 2010.

[CORPORATE SEAL]

STATE OF

Texas

COUNTY OF

Prozacie

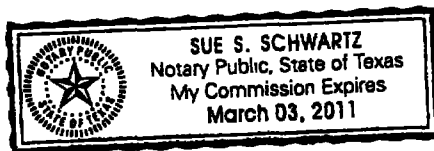
I, Sue S. Schwartz, a Notary Public of the County and State aforesaid, certify that Andrew K. Schwartz, Jr. personally appeared before me this day and acknowledged his/her due execution of the foregoing Memorandum of Lease.

WITNESS my hand and official stamp or seal, this 23<sup>rd</sup> day of July, 2010.

Sue S. Schwartz  
Notary Public

Commission Expires:

March 3, 2011  
(Notary Public)



**EXHIBIT A**  
**to**  
**MEMORANDUM OF LEASE**

**NUMBER OF CARS:** Two (2)

**DESCRIPTION OF CARS:** 20,000 gallon tank Cars, non-coiled, non-insulated (263 GRL)  
(Car Type: T105)

**CAR NUMBERS:** FURX 120316 and FURX 120317 *CLK*